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PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE der the Paperwork Reduction Act of 1995. no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 09/809,885 AUG C 12 304 TRANSMITTAL Filing Date March 16, 2001 **FORM** First Named Inventor John L. Margrave et al. Art Unit (to be used for all correspondence after initial filing) 1754 Examiner Name Stuart L. Hendrickson Attorney Docket Number 11321-P013D2 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Provisional Application Proprietary Information Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Exhibit A Request for Refund **Express Abandonment Request** CD. Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ SEP 0 1 2004 Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Ross Spencer Garsson Winstead Sechrest & Minick P.C Individual name Signature Date Augúst 23, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

August 23, 2004

Typed or printed name

Signature

Serena Beller

AUG 31 2004 TO 1200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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re Application of:

John L. Margrave et al.

FUNCTIONALIZED

SINGLE-WALL CARBON NANOTUBES

Serial No:

09/809,885

Filed:

March 16, 2001

Group Art Unit:

1754

Confirmation Number: 7715

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Atty Dkt:

11321-P013D2

(formerly 11321-P026US)

Examiner:

Stuart L Hendrickson

CERTIFICATE OF MAILING

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SERENA BELLER

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111

Dear Sir:

This is a supplemental response to the Office Action having a mailing date of April 6, 2004 (Paper No. 9), Applicants submitted an Amendment Under 37 C.F.R. § 1.111 ("Amendment") with a mailing date of August 20, 2004. Applicants submit herewith a supplemental response to include Exhibit A which was inadvertently not attached with the Amendment.

Remarks/Arguments begin on page 2 of this paper.

Remarks/Arguments

Claims 19-63 are pending in the Application.

Claims 19-63 stand rejected.

Attached hereto as Exhibit A is Holzinger *et al.*, Angew. *Chem. Int. Ed.*, **2001**, *40*, 4002-4005 ("*Holzinger*"). Applicants inadvertently did not attach the Exhibit to the Amendment mailed August 20, 2004.

CONCLUSION

As a result of the foregoing, it is asserted by Applicant that the remaining Claims in the Application are in condition for allowance, and respectfully request allowance of such Claims.

Applicant respectfully requests that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

RESPECTFULLY SUBMITTED,

WINSTEAD SECHREST & MINICK P.C.

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